

November 13, 2018

Edward Randolph, Director
Energy Division
CPUC Energy Division
505 Van Ness Avenue
San Francisco, CA 94102

RE: **Mission:data Coalition comments on the October, 2018 Draft Gap Analysis and Choice Action Plan**

Dear Mr. Randolph:

Mission:data Coalition (“Mission:data”) respectfully provides the following comments on the California Customer Choice Project’s Draft Gap Analysis and Choice Action Plan (the “Draft Plan”). Mission:data is a non-profit coalition advancing policies across the country that help consumers access their energy information held by utilities and share it with service providers of their choosing. Having been involved with “data access” topics at the Commission since 2012, and from working closely with our 35 member companies that access and use customer data from utilities on a daily basis, we are uniquely situated to assess both the policy and practical dimensions of accessing information with customer consent. Mission:data’s comments below are limited to the “Data Access” topic on pages 9-12 of the Draft Plan.

Mission:data supports a rulemaking on data access so long as its scope is very targeted on the issues below. The list of Commission actions involving data access, shown on page 10 of the Draft Plan, is extensive and represents thousands of hours of litigation across dozens of parties. While Mission:data believes a rulemaking would be valuable, it is imperative that the Commission not re-litigate every aspect of data access.¹ Not only would such re-litigation be a tremendous waste of time and

¹ For clarity, by “data access” we are referring to customer-specific data held by the utility such as energy usage, account numbers, billing information, demand response information, etc. We are specifically excluding distribution grid operations and planning information in this definition, as well as aggregated customer data.

resources, but it would undermine progress reached to date in achieving California's ambitious goals.

With that said, Mission:data supports a rulemaking that is narrowly focused on only the following issues:

1. **The enhancements of “click-through” for all distributed energy resources (“DER”):** The investor-owned utilities (“IOU”) will file applications later this month to propose providing some or all of recent click-through enhancements to all DER providers. Today, a more robust set of Green Button Connect features is available at some utilities for demand response providers under Rule 24/32, but only certain features are available to non-demand response DERs. The enhancements made include a significantly streamlined customer experience, a more comprehensive data set and other improvements. This is an important issue to DERs across the state, and it is arguable that the IOUs' forthcoming applications are not optimal venues for determining what are in essence policy issues. The Commission might find it more appropriate to resolve such questions first in a rulemaking.²
2. **Symmetry in user authentication practices across platforms.** Since the Commission's privacy decision in 2011 and customer data access decision in 2013, the number of internet-based customer interaction systems offered by utilities has expanded significantly. How customers are authenticated in those systems – that is, how the identity of the person making a request is established – varies tremendously, creating vastly different customer experiences. In addition to Green Button Connect, other venues or platforms where customers authenticate with the utility include, but are not limited to: (i) the utility's call center, (ii) the utility's standard web portal, (iii) the utility's online rate analysis tools for assessing TOU or EV rates, separate from the standard web portal, and

² Mission:data does not support any delay to the November application proceedings as they relate to “Solution 3” improvements for demand response providers. However, the portion of the November applications dealing with Green Button Connect improvements for all DERs could be considered in a rulemaking. In fact, doing so may be necessary because it would involve applying the information technology platforms developed for Rules 24/32 to non-demand response uses.

(iv) integration with some banks' bill payment portals where historical utility bills can be viewed. As these and potentially other platforms become available, inconsistent authentication practices can lead to discriminatory outcomes against DERs across the state. For example, as was noted in D.16-06-008, in 2015 the difference between a customer signing up for a utility's web portal and a customer signing up with a third party demand response provider was vastly different, contributing to "enrollment fatigue" with demand response providers due to clumsy paper forms. Setting common authentication practices in a rulemaking would help achieve symmetry and consistency, ensure a level playing field among utility-provided services and DER services that use customer data held by the utility, and would properly memorialize the "no more onerous" guidance referenced in Resolution E-4868 for all platforms.

3. **Minimum uptime and information technology ("IT") performance standards for Green Button Connect.** Now that Green Button Connect systems have been fully operational in California for two or three years, the Commission should evaluate their performance and consider performance targets. Many DERs have complained of data delays, glitches, bugs, system outages, incorrect data, poor response times by utilities, errors in conformance with the Green Button standard, unworking or suboptimal user interfaces, and other issues with the utilities' implementations. In a recent report, Commission staff wrote very diplomatically that "[s]ome IOUs have been slow to address information technology issues that support these online data access platforms. While progress has been made in some areas, the overall data access process has been slow and cumbersome for some users."³ If the Commission's goal is to have "plug and play" DERs across California, the Commission needs a systematic approach to ensuring continuous high performance of data access platforms.

³ California Smart Grid Annual Report to the Governor and the Legislature. February, 2018 at p. 19.

Available at

http://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/About_Us/Organization/Divisions/Office_of_Governmental_Affairs/Smart%20Grid%20Annual%20Report%202017.pdf

4. **Expansion of Green Button Connect to natural gas and water utilities.**

Originally, Green Button Connect (“GBC”) was considered by the Commission in a smart grid proceeding pertaining only to electric utilities. However, California’s dual challenges of water scarcity and beneficial electrification mean that there is tremendous value in consumers having better control over all of their energy- and water-related information throughout the state. Southern California Gas does not provide GBC, for example. Fuel-switching has been, and will continue to be, an important issue in assessing energy efficiency, and it is costly to acquire interval natural gas readings when a standardized platform for DERs is not available. The Green Button standard is not limited to energy commodities; the standard includes support for water usage as well as water billing information. Digital provision of this information would help with conservation efforts.

5. **Reforms in data access for Community Choice Aggregators (CCAs).**

Mission:data understands that amendments to certain data access rules may be valuable and appropriate for CCAs both prior to formation and after formation. Mission:data supports exploring these issues in a rulemaking so that CCAs’ operations and planning are not held back by data-related issues.

Once again, Mission:data does not wish to “start over” with regard to data access in California. It would be neither productive nor prudent for a rulemaking to re-examine many long-settled issues. However, when narrowly defined on the topics above, we believe a rulemaking would be both beneficial to, and productive in, achieving California’s long-term energy and climate goals.

Respectfully submitted,

November 13, 2018

_____/s/_____
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